


Approved:   
Date: July 2015

## ***Juvenile Incident Reporting Policy***

### **I. Policy**

The safety and wellbeing of juveniles, facility/service staff, and probation staff are essential to the rehabilitation process and public safety. This policy serves to provide direction to the probation system for reporting death, serious injury, and other significant incidents experienced by juveniles under probation supervision to the Inspector General for Child Welfare as required in §43-4318 (1)(c) and to the Administrative Office of Probation. The policy seeks to ensure timely and appropriate response to a variety of incidents that may occur while a juvenile is under probation supervision in the community and/or placement. The direction in this policy provides the Administrative Office of Probation, Chief Probation Officers, and designated district management staff steps in working collaboratively with all necessary stakeholders to provide adequate standards and conditions of care to minimize harm.

### **II. Purpose**

To meet the statutory requirements of reporting the death or serious injury of a juvenile supervised by probation to the Inspector General of Child Welfare and establishing a formal process for response to other significant incidents occurring while a juvenile is under probation supervision.

### **III. Reference**

[Neb. Rev. Stat. § 29-2258](#)

[Neb. Rev. Stat. §43-4318\(1\)\(c\)](#) Office; duties; reports of death or serious injury; when required; law enforcement agencies and prosecuting attorneys; cooperation; confidentiality.

[Nebraska State Probation Critical Incident Policy](#)

### **IV. Procedure**

#### **A. Definitions:**

##### **1. *Death or Serious Injury:***

[Neb. Revised Statute §43-4318\(1\)\(c\)](#) defines serious injury as “an injury or illness caused by suspected abuse, neglect or maltreatment which leaves the child in critical or serious condition.”

##### **2. *Significant Incident:***

Such incidents may include but are not limited to:

- a) Juvenile is a victim and/or initiator of alleged physical and/or sexual assault (i.e. a situation that rises to the level of contacting authorities, a weapon is involved, circumstances are out of the ordinary, etc.);

- b) Juvenile sustains a significant injury that requires medical attention;
  - c) An event that has the potential to involve media exposure or that may be subjected to a high level of scrutiny or public interest;
  - d) A situation which could result in the need to contact DHHS licensure (i.e. safety of the juvenile is of concern);
  - e) Circumstances demonstrate potential ethical concerns.
- B. In the event that an incident as defined in statute and in this policy occurs during the time a juvenile is under probation supervision, district management, district designated staff and designated administrative staff will notify all necessary parties related to the incident.
  - 1. District management and/or designated staff will notify the Administrative Office of Probation immediately upon learning of the situation.
  - 2. Designated administrative staff will notify the Inspector General of Child Welfare immediately upon learning of the situation.
  - 3. Notifications shall be made by email and/or phone with the exception of the parent/legal guardian, whom shall be notified in person.
- C. Documentation of an incident will be located within the Nebraska Probation Information System.
  - 1. Designated administrative staff will provide initial incident documentation to the Inspector General for Child Welfare in a timely manner.
  - 2. Designated administrative staff will provide any necessary follow up information to the Inspector General for Child Welfare.
- D. Release of Information to the Inspector General for Child Welfare:
  - 1. Upon written confidential record information request by the Inspector General, the Probation Administrator will immediately seek approval to share such information from the Nebraska Supreme Court. If the request is approved by the Supreme Court, the record information shall be provided to the Office of the Inspector General within five (5) business days.
  - 2. Upon approval of the record request by the Nebraska Supreme Court, the Probation Administrator will notify the Chief Probation Officer whose district has jurisdiction of the case that probation records must be submitted to the Inspector General within five (5) business days.
  - 3. The Chief Probation Officer will facilitate the provision of records.
  - 4. Records may be submitted to the Inspector General electronically or hardcopy by mail or delivery service.

5. The Chief Probation Officer will inform the Probation Administrator, Deputy Administrator of Juvenile Services, Assistant Deputy of Juvenile Services, and Director of Placement Court Services when the records have been sent to the Inspector General's Office.
  6. The Chief Probation Officer will ensure that all necessary records were shared and will continue to share any additional records relevant to the case with the Inspector General in a timely manner.
- E. Questions regarding critical incidents shall be directed to the Director of Placement-Court Services or Director of Placement-Juvenile Supervision Services.